

SENATE BILL 74

By Massey

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 5; Title 6; Title 7 and Title 12, relative to sale  
of surplus public property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 12, Chapter 2, is amended by adding  
the following language as a new part:

12-2-501

Notwithstanding any rule, regulation or other law to the contrary, any county,  
metropolitan government, municipality or other political subdivision of this state may  
dispose of real property or personal property by private negotiation and sale where:

(1) The real or personal property is significant for its architectural,  
archaeological, artistic, cultural or historical associations, or significant for its  
relationship to other property significant for architectural, archaeological, artistic,  
cultural or historical associations, or significant for its natural, scenic or open  
condition;

(2) The real or personal property is to be sold to a nonprofit corporation or  
trust whose purposes include the preservation or conservation of real or personal  
properties of architectural, archaeological, artistic, cultural, historical, natural or  
scenic significance; and

(3) A preservation agreement or conservation agreement is placed in the  
deed conveying the property from the county, metropolitan government,  
municipality or other political subdivision of this state to the nonprofit corporation  
or trust. The nonprofit corporation or trust shall only dispose of or use such real  
or personal property subject to covenants or other legally binding restrictions that

will promote the preservation or conservation of the property, and, where appropriate, secure rights of public access.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.